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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,810	12/11/2000	Scott Leonard Daniels	AUS920000544US1	2972

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EXAMINER	
CHAI, LONGBIT	
ART UNIT	**PAPER NUMBER**
2131	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/732,810	DANIELS ET AL.	
	Examiner	Art Unit	
	Longbit Chai	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-10,12-24,28,29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-10,12-24,28,29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 27 have been presented for examination. Claims 3, 11, 25, 26 and 27 have been canceled, claims 1, 2, 4 – 9, 12 – 22, 24, 28 and 29 have been amended and new claims 28 and 29 have been added in an amendment filed 08/13/2004. Claims 1 – 29 have been examined (except the canceled claims as shown above).

Response to Arguments

2. Applicant's arguments with respect to the claims 1, 2, 4 – 10, 12 – 24, 28 and 29 have been considered but are moot in view of the new ground(s) of rejection.

Priority

3. No claim for priority has been made in this application.

The effective filing date for the subject matter defined in the pending claims in this application is 12/11/2000.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim language "may be" used does not distinctly describe the claimed limitations.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 4, 9, 10, 12, 17 – 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi (Patent Number: US 6219771 B1), hereinafter referred to as Kikuchi, in view of Moore (Patent Number: 5265208), hereinafter referred to as Moore, and in view of Siefert (Patent Number: US 6526512 B1), hereinafter referred to as Siefert.

As per claims 1, 9, 17 and 24, Kikuchi teaches a method for providing access protection to electronic storage devices, said method comprising the steps of:

a. providing a device-stored hardware-level security code for a storage device on which is stored an electronic file to which user access is restricted (Kikuchi: see for example, Column 1 Line 8 – 17, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18);

Kikuchi does not teach expressly the security code is unique to said storage device.

Moore teaches the security code is unique to said storage device (Moore: see for example, Column 7 Line 2 – 13: The manufacturer serial number of a storage device that is used during the access authorization validation / comparison process is qualified as an unique security code to a specific storage device).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Moore within the system of Kikuchi because Moore teaches a simple and efficient manner for restricting access to the physical storage device (Moore: see for example, Column 1 Line 25 – 27 and Column 3 Line 25 – 27).

Therefore, Kikuchi as modified teaches:

b. initializing said security code within said storage device during set-up of said storage device, wherein said security code is unique to said storage device and is required to complete all accesses to said storage devices including read accesses and write accesses (Kikuchi: see for example, Column 1 Line 8 – 9, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18) & (Moore: see for example, Column 7 Line 2 – 13);

Kikuchi as modified does not disclose expressly providing access restriction by a security process within an operating system level of a user computer.

Siefert teaches providing access restriction by a security process within an operating system level of a user computer (Siefert: see for example, Abstract Line 1 – 4 & Line 12 – 15 and Column 10 Line 11 – 23).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Siefert within the system of Kikuchi because Siefert teaches restricting access to repositories of a computer system by offering high security at low cost to the users (Siefert: see for example, Column 1 Line 29 – 36).

Therefore Kikuchi as modified teaches:

c. providing within an operating system (OS) of a user computer an OS-extension that enables (1) retrieval of said security code from said storage device to said user computer system and (2) blocking access to said storage device by processes on said user computer system when a user-provided code does not match the security code retrieved from the storage device (Siefert: see for example, Abstract Line 1 – 4 & Line 12 – 15 and Column 10 Line 11 – 23) & (Kikuchi: see for example, Column 1 Line 8 – 17, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18);

d. wherein the OS-extension enables use of the hardware-level security code within a localized, OS-level security checking process wherein said hardware-level security code is loaded into the OS-level security checking process whenever a user process on the user computer system attempts a read or write operation on said storage device (Siefert: see for example, Abstract Line 1 – 4 & Line 12 – 15 and Column 10 Line 11 – 23) & (Kikuchi: see for example, Column 1 Line 8 – 17, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18); and

e. allowing access by said user process to said storage device from the user-computer system with the OS-extension only when a the user-provided code is determined by the localized, OS-level security checking process to match said hardware level security code (Siefert: see for example, Abstract Line 1 – 4 & Line 12 – 15 and Column 10 Line 11 – 23) & (Kikuchi: see for example, Column 1 Line 8 – 17, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18) & (Moore: see for example, Column 1 Line 25 – 27 and Column 3 Line 25 – 27).

As per claim 4, the claim 4 does not further teach over claim 1. Therefore, see same rationale addressed above in rejecting claim 1.

As per claims 10 and 12, the claims 10 and 12 do not further teach over claim 9. Therefore, see same rationale addressed above in rejecting claim 9.

As per claims 18 and 19, the claims 18 and 19 do not further teach over claim 17. Therefore, see same rationale addressed above in rejecting claim 17.

8. Claims 2, 5 – 7, 13 – 15 and 20 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi (Patent Number: US 6219771 B1), hereinafter referred to as Kikuchi, in view of Moore (Patent Number: 5265208), hereinafter referred to as Moore, in view of Siefert (Patent Number: US 6526512 B1), hereinafter referred to as

Siefert, and in view of Salvoldi (Patent Number: 5727146), hereinafter referred to as Salvoldi.

As per claim 2, 13 and 20, Kikuchi as modified teaches the claimed invention as described above (see claim 1, 12 and 18 respectively). Kikuchi as modified further teaches blocking access to said storage device during said initializing; placing said security code within predetermined bits of a microcode of the storage device (Kikuchi: see for example, Column 1 Line 8 – 17, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18) & (Moore: see for example, Column 7 Line 2 – 13);

Kikuchi as modified does not disclose expressly wherein said predetermined bits are defaulted to a default value when no security code is placed therein.

Salvoldi teaches said predetermined bits are defaulted to a default value when no security code is placed therein (Salvoldi: see for example, Column 7 Line 64 – 65).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Salvoldi within the system of Kikuchi as modified because (a) Kikuchi as modified teaches using host device address as the hardware security code to restrict the access (Kikuchi: see for example, Column 2 Line 28 – 32) and (b) Salvoldi teaches providing a security function also based on physical parameter of the device itself (e.g. device source address) with the flexibility to allow no security checking upon default value (Salvoldi: see for example, Column 1 Line 59 – 60 and Column 7 Line 64 – 65).

As per claim 5, Kikuchi as modified teaches the claimed invention as described above (see claim 1). Kikuchi as modified further teaches receiving at the OS-level a process request for access to said storage device; retrieving front the storage device the security code stored within microcode of the device and forwarding the security code to the localized, OS-level security checking process (Siefert: see for example, Abstract Line 1 – 4 & Line 12 – 15 and Column 10 Line 11 – 23) & (Kikuchi: see for example, Column 1 Line 8 – 17, Column 2 Line 3 – 6, Column 2 Line 29 – 36, Column 2 Line 45 – 47, Column 3 Line 1 – 5 and Column 6 Line 16 – 18) & (Moore: see for example, Column 7 Line 2 – 13).

Kikuchi as modified does not disclose expressly evaluating said security code retrieved for a pre-defined default value; and in response to said security code having a pre-defined default value, providing said user with unrestricted access to said storage device.

Salvoldi teaches evaluating said security code retrieved for a pre-defined default value; and in response to said security code having a pre-defined default value, providing said user with unrestricted access to said storage device (Salvoldi: see for example, Column 7 Line 64 – 65).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Salvoldi within the system of Kikuchi as modified because (a) Kikuchi as modified teaches using host device address as the hardware security code to restrict the access (Kikuchi: see for example, Column 2 Line

28 – 32) and (b) Salvoldi teaches providing a security function also based on physical parameter of the device itself (e.g. device source address) with the flexibility to allow no security checking upon default value (Salvoldi: see for example, Column 1 Line 59 – 60 and Column 7 Line 64 – 65).

As per claim 6 and 7, the claims 6 and 7 do not further teach over claim 5. Therefore, see same rationale addressed above in rejecting claim 5.

As per claim 14 and 15, the claims 14 and 15 do not further teach over claim 13. Therefore, see same rationale addressed above in rejecting claim 13.

As per claim 21, the claim 21 does not further teach over claim 20. Therefore, see same rationale addressed above in rejecting claim 20.

As per claim 22, Kikuchi as modified teaches the claimed invention as described above (see claim 21). Kikuchi as modified further teaches OS extension further includes program instructions for outputting an access deny message to said user when said security code does not match said access code (Siefert: see for example, Figure 7B Element 60 & 63).

9. Claims 8, 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi (Patent Number: US 6219771 B1), hereinafter referred to as Kikuchi, in view of Moore (Patent Number: 5265208), hereinafter referred to as Moore, in view of

Siefert (Patent Number: US 6526512 B1), hereinafter referred to as Siefert, in view of Salvoldi (Patent Number: 5727146), hereinafter referred to as Salvoldi, and in view of Rissanen (Patent Number: 5430827), hereinafter referred to as Rissanen.

As per claim 8, 16 and 23, Kikuchi as modified teaches the claimed invention as described above (see claim 7, 15 and 21 respectively). Kikuchi as modified does not disclose expressly restricting a subsequent request for access to said storage device by a user when said security code does not match said user access code during an initial comparison of the codes and when the codes do not match, automatically terminating at least the process requesting access that was submitted by said user.

Rissanen teaches restricting a subsequent request for access to said storage device by a user when said security code does not match said user access code during an initial comparison of the codes and when the codes do not match, automatically terminating at least the process requesting access that was submitted by said user (Rissanen: see for example, Column 6 Line 44 – 46: The predetermined maximum number to be one which would meet the Applicant's claimed language).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Rissanen within the system of Kikuchi as modified because Rissanen teaches providing an improved security validation method (Rissanen: see for example, Column 2 Line 5 – 6) that enhances the security for system access upon the failure of security validation (Rissanen: see for example, Column 6 Line 44 – 46).

10. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi (Patent Number: US 6219771 B1), hereinafter referred to as Kikuchi, in view of Moore (Patent Number: 5265208), hereinafter referred to as Moore, in view of Siefert (Patent Number: US 6526512 B1), hereinafter referred to as Siefert, in view of Salvoldi (Patent Number: 5727146), hereinafter referred to as Salvoldi, and in view of Miller (Patent Number: 5550968), hereinafter referred to as Miller.

As per claims 28 and 29, Kikuchi as modified teaches the claimed invention as described above (see claim 8 and 16 respectively). Kikuchi as modified does not disclose expressly a method automatically terminates said job when said codes do not match.

Miller teaches a method automatically terminates said job when said codes do not match (Miller: see for example, Column 2 Line 59 – 61: The predetermined maximum number to be one which would meet the Applicant's claimed language and the user session is qualified as a user specific job).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Miller within the system of Kikuchi as modified because Miller teaches an improved security validation method that provides security for controls while using relatively small amounts of computer memory (Miller: see for example, Column 2 Line 24 – 26) and enhances the security for system access upon the failure of security validation (Miller: see for example, Column 2 Line 59 – 61).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3788.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131

LBC

EMMANUEL L. MOISE
PRIMARY EXAMINER